

REMARKS

Status of the Claims

The Office Action dated June 13, 2011 has been received and reviewed by the applicant. Claims 21-25, 27, 28, 31 and 32 are pending in the application. Claims 21-25, 27, 28, 31 and 32 are rejected. Reconsideration is respectfully requested.

Claims 21-24, 27, 28 and 32 stand rejected under 35 U.S.C. 102(e) as being anticipated by Safai (US # 6,167,469). It is noted that the rejection uses two references (Safai and Takahashi) so Applicants believe the rejection to be a 35 U.S.C. 103 rejection. The rejection states in regard to Takahashi that Takahashi teaches a system wherein a digital camera is connected to a printer; the printer receives header data (*image utilization field*) of an image file, wherein the header data includes the resolution of image data within the file; and based on the image data resolution, the printer modifies (*responsive to the resolution*) received image data in accordance with a selected printing format for the image data (Figure 5 [0073] and [0074]).

In response, claim 21 is amended to include “storing the modified transferred image file *along with the set of image utilization fields* in the external device for subsequent use.” In other words, both the image file and set of image utilization fields are stored in the external device so that subsequent retrieval is permitted. In contrast, Takahashi does not store the purported set of image utilization fields since printers are designed only to print images, and storage of images and their set of utilization fields are not their intended use – print as directed. Printers are not used for permanent storage of images as is well known in the art and are particularly not used for long-term storage of image utilization fields. It is noted that claim 1 includes the limitation of “for subsequent use” (long-term storage or permanent storage) for distinguishing from any purported temporary storage that may be used for the current operation of the printer. Since printers are not used for long-term storage, the combination of Takashi with Safai would result in the system being inoperable in accomplishing the claimed invention of storing the set of image utilization fields on the external device. Inoperability is the hallmark of “teaching away” from the claimed invention.


Support for the amendment is found on page 11, lines 5 – 30.

Therefore, it is respectfully submitted that claim 21 is patentable as now amended. The dependent claims depend either directly or indirectly from claim 21 and are patentable for the same reasons as claim 21.

The Examiner is respectfully requested to withdraw the outstanding rejection and to pass the subject application to Allowance.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225.

Respectfully submitted,


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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.